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11 UNITED STATES DISTRICT COURT
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA
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14 LOURDES DeVELASQUEZ, an
individual, MARIA TRINIDAD
15 ARMENTA, an individual

16 Plaintiffs,

17 v.

18 HELADO MEDINA, an individual;
DEPARTMENT OF HOMELAND
19 SECURITY, a Department of the
United States of America; and DOES 1
20 to 20, inclusive,

21 Defendants.

No. CV 22-4176

**NOTICE OF REMOVAL OF CIVIL
ACTION**

[28 U.S.C. § 2679(d)(2)]

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28 ¹ Admitted to practice under Local Rule 83-2.1.4.1. *See* Order, In Re Application of
Zakariya K. Varshovi for Admission Pursuant to Local Rule 83-2.1.4.1, C.D. Cal. No.
2:22-cm-00014-PSG (Feb. 2, 2022).

**TO THE UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT
OF CALIFORNIA AND TO PLAINTIFFS, BY AND THROUGH THEIR
COUNSEL OF RECORD:**

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. § 2679(d)(2), the above-captioned State Court action described below is removed to this Honorable Court. Grounds for this removal are as follows:

1. On February 22, 2022, Lourdes DeVelasquez and Maria Trinidad Armenta (“Plaintiffs”) filed a civil action against Defendants Heladio Medina (sued erroneously herein as Helado Medina), Department of Homeland Security, and Does 1 through 20, inclusive, in the Superior Court of the State of California for the County of Los Angeles, entitled *Lourdes DeValesquez, et al. v. Medina, et al.*, as Case No. 22STCV06413. Copies of the Complaint and all other pleadings are attached as Exhibit 1. The Complaint alleges that Defendant Medina negligently operated a motor vehicle causing Plaintiffs’ injuries and damages on March 3, 2020 on Laurel Canyon Boulevard in Los Angeles, California. *See* Compl. ¶¶ 6, 7.

2. This action must be removed to this Court pursuant to 28 U.S.C. § 2679(d)(2) because Defendant Medina acted within the course and scope of his employment with the United States of America at all times material to the allegations contained in the Complaint. A duly executed Certification of the Chief of the Civil Division for the Central District of California, attesting to the foregoing, is attached as Exhibit 2. This Court has exclusive jurisdiction over civil actions for money damages for injury allegedly caused by the negligent or wrongful act or omission of an employee of the United States while in the course and scope of employment. 28 U.S.C. § 1346(b).

3. Removal is timely under 28 U.S.C. § 2679(d)(2) because the trial of Case No. 22STCV06413 has not yet commenced.

4. As this notice is being filed on behalf of the United States, no bond is required under the terms of 28 U.S.C. § 2408 and 2679(d)(2).

